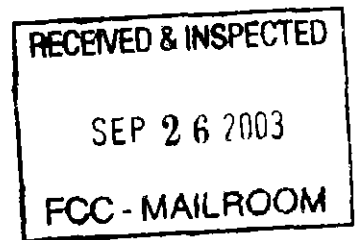


September 16, 2003



Christopher Riemer
Hawaii Air Tour Safety Working Group
Kauai Representative
c/o Jack Harter Helicopters
4231 Ahukini Rd.
Lihue, HI 96766
808-245-3774
808-245-4661 FAX

Federal Communications Commission
Attn: Office of the Secretary
445 12th St. S.W.
Washington, D.C. 20554

Re: Petition for Rulemaking

Dear Sirs,

On December 18, 2001 the Hawaii Air Tour Safety Working Group (HATSWG) requested Special Temporary Authority to use the frequencies listed below in Table 1. The stated purpose in the request for the Special Temporary Authority was, "...to facilitate safety measures concerning the industry and aviation as a whole in Hawaii." (Page 2, Exhibit A). Special

WTB 014
03-340

Temporary Authority was granted by the Federal Communications Commission (FCC) for the temporary use of these frequencies effective February 1, 2002 (Please see Exhibit A).

Table 1		
ISLAND	FREQUENCY	NG TEMPORARY S/N
Hawai	122.850 MHz	T 010145
Hawai	127.050 MHz	T 010146
Molokai	121.950 MHz	T 010147
Maui	120.650 MHz	T 010148
Oahu	122.850 MHz	T 010149
Kauai	127.050 MHz	T 010152

Since the Special Temporary Authority to use these frequencies was granted by your agency, air tour operators (fixed-wing and helicopter), other commercial operators, and the general aviation community have utilized these frequencies as Island Traffic Advisory Frequencies (Please see Exhibit B). The consensus from the vast majority of the Hawaiian Island aviation community, specifically including FAA Flight Standards District Office – Honolulu (see Exhibit C), the General Aviation Council of Hawaii, and HATSWG, is that these frequencies function well to facilitate a safe operating environment.

Given the positive response to the Special Temporary Authority, HATSWG requests that the Special Temporary Authority be made a permanent provision. We request an amendment to Section 87.187 of the Commission's Rules to add the following paragraphs authorizing the continued use of the previously mentioned frequencies.

- I. The frequency 120.650 MHz is authorized for air-to-air use for aircraft over and within 5 nautical miles of the shoreline the Hawaiian Island of Maui.

2. The frequency 121.950 is authorized for air-to-air use for aircraft over and within 5 nautical miles of the shoreline the Hawaiian Island of Molokai.
3. The frequency 122.850 MHz is authorized for air-to-air use for aircraft over and within 5 nautical miles of the shoreline the Hawaiian Island of Oahu.
4. The frequency 122.850 MHz is authorized for air-to-air use for aircraft over and within 5 nautical miles of the shoreline the Hawaiian Island of Hawaii when aircraft are south and east of the 215 degree radial of the ITO (Hilo) VOR.
5. The frequency 127.050 MHz is authorized for air-to-air use for aircraft over and within 5 nautical miles of the shoreline the Hawaiian Island of Hawaii when aircraft are north and west of the 215 degree radial of the ITO (Hilo) VOR.
6. The frequency 127.050 MHz is authorized for air-to-air use for aircraft over and within 5 nautical miles of the shoreline the Hawaiian Island of Kauai.

If there is anything that you need from me to facilitate this process, the best way to reach me is to either call me on my cell phone (808) 652-6982 or email me at jharter1@aloha.net.

Sincerely,



Christopher Riemer
Kauai Representative – Hawaii Air Tour Safety Working Group

Attachments: Exhibits A, B, & C

**Federal Communications Commission
Public Safety & Private Wireless Division
1270 Fairfield Road
Gettysburg, PA 17325-7245**

DATE January 23, 2002

FROM Kim Kleppinger

kkleppin@fcc.gov

717-338-2666

717-338-2696 fax

TO Debra Irby
Chairperson, WATS/MG



Attached is the granted STA for the Hawaii Air Tour Safety Working Group proposal. FAA has concurred with the proposal as submitted.

The Commission reserves the right to terminate the authorization at any time upon notification of interference or operational problems.

(5) PAGE 5

EXHIBIT A - PAGE 1

EXHIBIT A - PAGE 2



1-23-02
GRANTED
DATE ATTACHED: 1-4-03
2-1-02 8-1-02
DIRECTIVE WILTS TROOP
K.A. Kleppinger
FEDERAL COMMUNICATIONS COMMISSION

Hawaii Air Tour Working Group

Federal Communications Commission
ATTN: Kim Kleppinger
Wireless Telecommunications Bureau
1270 Fairfield Rd
Gettysburg, PA 17325

December 18, 2001

RE STA

To Whom It May Concern:

The Hawaii Air Tour Safety Working Group (HATSWG) is a group of elected representatives from the Hawaii Air Tour Industry. The group's concentrations are safety issues, and its objective is to facilitate safety measures concerning the industry and aviation as a whole in Hawaii.

One letter recommendation is for each island to have it's own frequency because of radio congestion. The following frequencies have been given to HATSWG from the FAA Spectrum Management are as follows:

ISLANDS	FREQUENCIES	NO. TEMPORARY S/N
Hawaii	M122.85	T 010145
Hawaii	M127.05	T 010146
Molokai	M12.95	T 010147
Maua	M120.55	T 010148
Oahu	M122.85	T 010149
Kauai	M127.05	T 010152

HATSAC was to have requested STAs (Special Temporary Authority) for use of the above frequencies beginning February 1, 2002 for a period of no longer than six months.

Attached is a map of the Hawaiian Islands with designated frequencies. If you have any questions or require more information I can be reached at 1-800-544-2820 ext. 190 or by e-mail: DLbySS@hawaii.gov

Sincerely,



Debra A. Irby
Chairperson
HATSAC

EXHIBIT A - PAGE 3

FEDERAL COMMUNICATIONS COMMISSION
1270 Fairfield Road
Gettysburg, PA 17325-7245

ATTACHMENT Explanation of Numbers Shown on Stamp

Please note the following with respect to your recent request.

1. Special Temporary Authority is authorized on a secondary non-interference basis. This action taken without prejudice to final action on any formal application. List this authority as transmitter location.
2. Call sign subject to change upon issuance of permanent license.
3. Operation and type acceptance shall be in accordance with Part 80 of the Commission's rules.
4. Operations and type acceptance shall be in accordance with Part 87 of the Commission's rules.
5. You will be billed for the amount due for this STA and should remit the fee to the address shown on the bill.
6. This authority is conditional upon submission within 10 days of the signed Anti-Drug Abuse Act statement attached. **RETURN ONLY THE SIGNED CERTIFICATION.**
7. This authority may only be used to coordinate activities described warranting special action. Communications related to other activities are prohibited.
8. The Commission reserves the right to terminate this authority prior to expiration without further notice or hearing upon notification of actual interference to authorized co-channel or adjacent-channel users.
9. Authorized antenna height may not exceed 6.1 meters (20 feet) above ground or 6.1 meters (20 feet) above structure on which antenna is mounted (building) without prior FAA approval, if necessary.
10. Granting of this authorization does not imply that the FCC has accepted or rejected your proposed transmitters.
11. Other.

wch,ld,snr

EXHIBIT A - PAGE 4

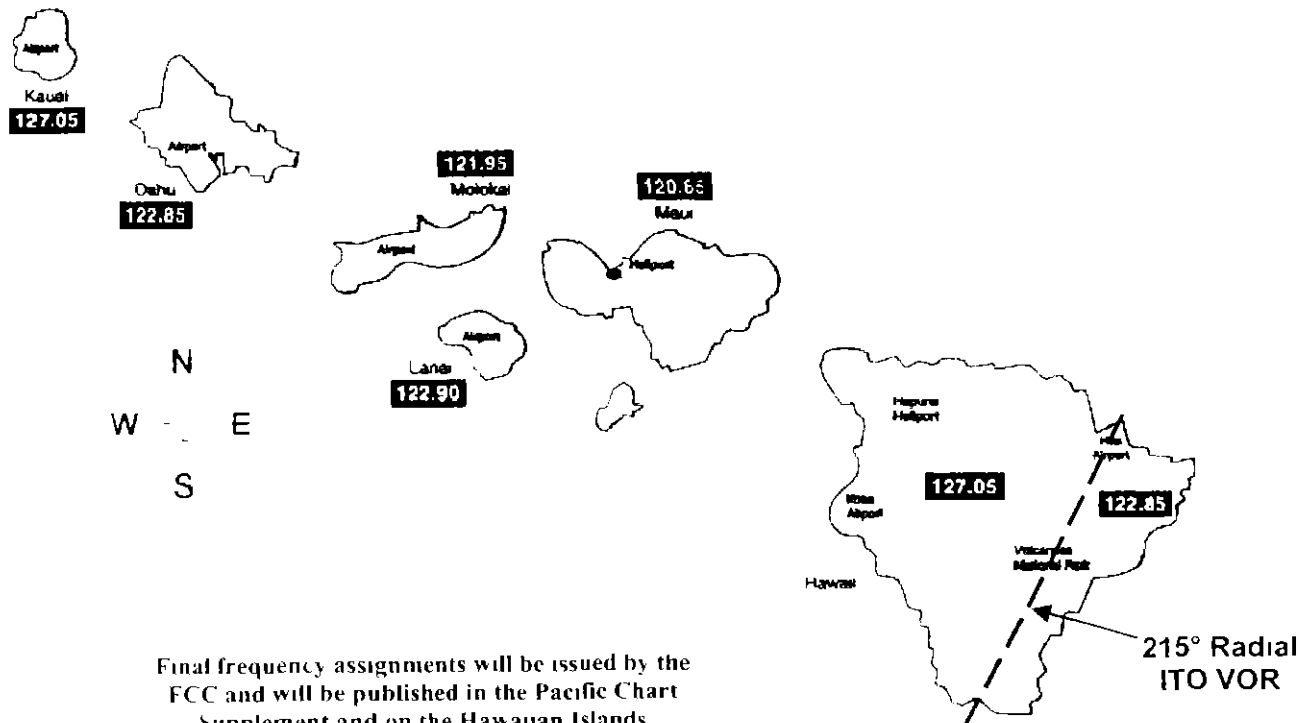
ISLAND TRAFFIC ADVISORY FREQUENCIES (ITAF)

Hawaiian Islands

All VFR aircraft flying in uncontrolled airspace over and around each Hawaiian Island should monitor the VFR Island Traffic Advisory Frequencies (ITAFs) listed below. The procedures for the use of unicom and multicom frequencies at or near airports without operating control towers remain in effect (see the AIM, Chapter 4, Section 1). Each island shown has one ITAF frequency, except the Big Island, which has two ITAF frequencies divided by the 215 degree radial of the ITO VOR.

A NOTAM establishing these frequency changes has been issued by the Honolulu FSDO.

For more information contact:
FAA Honolulu FSDO @ 808-837-8300



Final frequency assignments will be issued by the FCC and will be published in the Pacific Chart Supplement and on the Hawaiian Islands Sectional Chart.

EXHIBIT B



US Department
of Transportation

**Federal Aviation
Administration**

Western-Pacific Region
Honolulu Flight Standards District Office

135 Nakolo Place
Honolulu HI 96819-1845

Telephone (808)837-8300
FAX (808)837-8399

September 12, 2003

Federal Communications Commission
Attn: Office of the Secretary
445 12th St. S.W.
Washington D.C. 20554

Thru: Hawaii Air Tour Safety
Working Group

Dear Sir/Madam:

Petition for Rulemaking from the Hawaii Air Tour Safety
Working Group

This letter is in support of the Petition for Rulemaking from the Hawaii Air Tour Safety Working Group (HATSWG) for the permanent use of the frequencies granted under Federal Communications Commission Special Temporary Authority (STA).


In February 2002, the Honolulu Flight Standards District Office (FSDO), through the Operations Branch of the Airways Facilities Division at the FAA Western Pacific Regional Headquarters, assisted HATSWG in obtaining STA for the use of the four frequencies specified in their petition request.

During the past nineteen months the Honolulu FSDO has monitored the safety aspects of the use of these frequencies. Observations by the FSDO and reports from pilots have indicated that the level of visual flight rules (VFR) air safety has been improved by these frequencies. This Office considers the safety testing completed and wishes to continue the process of permanent assignment.

Permanent assignment will allow the FSDO to further assist the HATSWG in obtaining publication of the frequencies in the Hawaiian Islands Aeronautical Sectional Chart, and other official publications. Such public notice is

necessary to expand frequency use and further enhance flight safety. This office appreciates your expeditious processing of the petition from HATSWG.

Sincerely,



Peter E. Beckner
Manager, Honolulu Flight
Standards District Office